IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
FRIDAY, THE TWENTY FIFTH DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE K.C. BHANU
WRIT PETITION NO. 10408 of 2004

Between:

U.L.P.Raju, E-43072, TTI, RES/MU, S/o Late Rambhadra Raju,
R/o Gajuwaka, Visakhapatnam District.

..... PETITIONER

AND

1. The Andhra Pradesh State Road Transport Corporation, rep. by its Managing Director, Musheerabad, Hyderabad.
2. The Andhra Pradesh State Road Transport Corporation, rep. by its Regional Manager, Visakhapatnam Region, Visakhapatnam.

.....RESPONDENTS.

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not computing the periodical increments in pursuance of the Award passed by the Labour Court in I.D.No.80/1998 dated 20-1-1992 as illegal and arbitrary and as such liable to be set aside with a consequential direction to the respondents herein to compute the periodical increments that would have been earned by the petitioner had he been in service during the out of employment period i.e.5-7-1985 to 1-3-1992 and after determining such increments and on the basis of the same to fix the wage payable to the petitioner after his reinstatement i.e., on 1-3-1992 and to pay the arrears in respect of the period subsequent to reinstatement.

Counsel for the Petitioner: MR.S.M.SUBHAN

Counsel for the Respondents 1 & 2: MR.Y.V.SWAMY (Standing Counsel for APSRTC)

The Court made the following :

ORAL ORDER:

The grievance of the writ petitioner is that the respondents are not computing his periodical increments in pursuance of the Award passed by the Labour Court, Visakhapatnam in I.D.No.80 of 1988, dated 20.01.1992.

Learned counsel appearing for both sides stated that they have no objection to dispose of the main writ petition with a direction to the respondents to consider the case of the petitioner whether he is entitled for the periodical increments. In terms of the Award passed by the Labour Court, Visakhapatnam, in I.D.No.80 of 1988, appropriate orders have to be passed by the respondents.

Accordingly, the writ petition is disposed of directing the respondents to consider the case of the petitioner, in terms of the Award in I.D.No.80 of 1988 passed by the Labour Court, Visakhapatnam, within a period of two months from the date of receipt of a copy of this order. In the circumstances, no costs.

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25th June, 2004.

*Nsr

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Managing Director, Andhra Pradesh State Road Transport Corporation, Musheerabad, Hyderabad.
2. The Regional Manager, Andhra Pradesh State Road Transport Corporation, Visakhapatnam Region, Visakhapatnam.
3. Two CD copies.